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COGNOS CORPORATION
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
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11 RANDY ACRES, an Individual,

12 Plaintiff,

13 v.

14 COGNOS CORPORATION, a business entity;
and DOES 1-25, inclusive,

15 Defendants.
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Case No. CV08-3926MHP

**~~[PROPOSED]~~ ORDER GRANTING
DEFENDANT COGNOS
CORPORATION'S MOTION TO
TRANSFER VENUE**

~~[28 U.S.C. § 1404(a)]~~

*** AS AMENDED BY COURT**

Date: January 12, 2009

Time: 2:00 p.m.

Ctrm: 15

Complaint Filed: 5/26/08

Case Removed to Federal Court: 8/18/08

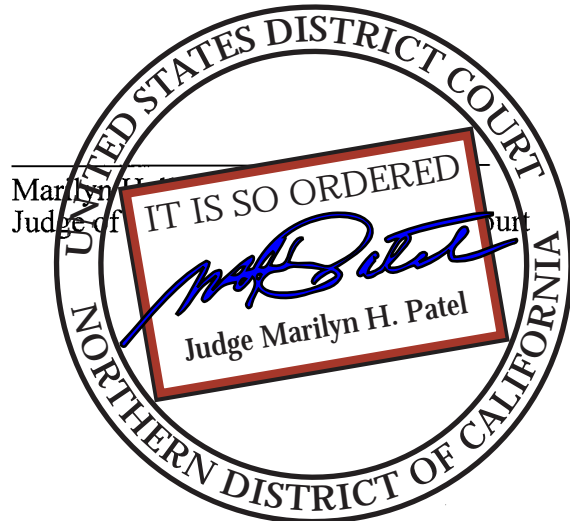
19 The court, having determined that this motion may be decided without the need for
oral argument, and this court,
20 ~~On January 12, 2008 at 2:00 p.m., in Courtroom 15 of the above-captioned court, the~~

21 ~~Honorable Marilyn Hall Patel, Judge of the United States District Court presiding, heard~~
22 ~~Defendant COGNOS CORPORATION's ("Cognos") Motion to Transfer Venue. Cognos~~
23 ~~appeared by and through its counsel Mitchell F. Boomer of Jackson Lewis LLP. Plaintiff Randy~~
24 ~~Acres ("Plaintiff"), appeared by and through his counsel Michael T. Welch, of the Law Offices of~~
25 ~~Michael T. Welch. After considering the moving and opposing papers, and the arguments of~~
26 ~~counsel, the Court rules as follows:~~
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1 IT IS HEREBY ORDERED that, pursuant to 28 U.S.C. §1404(a), this matter shall be
2 transferred to the United States District Court for the ~~Southern District of New York located in~~
3 ~~New York, New York~~ District of Massachusettts, and the Clerk of the Court shall transmit *

4 IT IS FURTHER ORDERED _____
5 _____
6 _____
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10 Dated: January 7, 2009



18 * to the Clerk of the Court of the District of Massachusetts. None of the events, documents, or
19 witnesses are in this District, and the employment agreement as governed by the laws of
20 Massachusetts where defendant has its principal place of business. The claims have no nexus
21 to this District. Finally, contrary to plaintiff's complaint, he is not currently a citizen or resident
22 of California, and at all relevant times has, in fact, been a resident of Thailand.
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